

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

In re:)
)
COX ENTERPRISES, INC. SET-TOP) Case No. 12-ML-2048-C
CABLE TELEVISION BOX)
ANTITRUST LITIGATION)

MEMORANDUM OPINION AND ORDER

This Order will memorialize the rulings made in the status conference held in chambers this date.

Defendant has no objection to Plaintiff's request for approval of Class Counsel. Plaintiff's counsel shall prepare an Order to finalize the appointment.

Defendant's request that any further deadlines or proceedings in this matter be stayed pending resolution by the Tenth Circuit Court of Appeals on its Fed. R. Civ. P. 23(f) motion is denied.

Regarding notice to be sent to potential class members, the parties are encouraged to work together to develop a mechanism for sending the appropriate notice, as well as identification of the appropriate recipients. To the extent agreement cannot be reached, the Plaintiff may depose Cox representatives to the extent necessary to develop a plan for notice. Any brief regarding notice shall be filed by Plaintiff no later than April 16, 2014.

In preparation for the trial of this case, the following deadlines are established:

1. Trial is set on September 9, 2014.
2. Dispositive motions shall be filed no later than April 3, 2014.
3. The parties will be sent to settlement conference with Judge West at a time convenient to all parties.
4. *Daubert* motions shall be filed by April 3, 2014.
5. The parties are to provide proposed jury instructions by August 15, 2014. The parties are encouraged to work together to submit agreed preliminary instructions to the extent possible.
6. The final witness and exhibit list from Plaintiff is due July 16, 2014, with Defendant's due July 23, 2014. Any objection to the parties' submissions are due within ten days after filing.
7. Motions in limine are to be filed no later than August 22, 2014; any objection to be filed within seven days thereafter.
8. The Pretrial Report should be filed by August 29, 2014.
9. Deposition designations are to be filed by August 22, 2014; counter-designations and objections by August 29, 2014; any counter-counter-designations by September 3, 2014. The parties shall submit a courtesy copy of the complete deposition with the appropriate designations highlighted in a manner so the Court may understand which party is offering which portion of the deposition no later than September 4, 2014.

10. All other cases remain stayed.

IT IS SO ORDERED this 3rd day of February, 2014.



ROBIN J. CAUTHRON
United States District Judge